

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MALIK SHABAZZ,

Petitioner,

-against-

M. KOPP, Superintendent,

Respondent.

23-CV-10907 (JMF)

TRANSFER ORDER

JESSE M. FURMAN, United States District Judge:

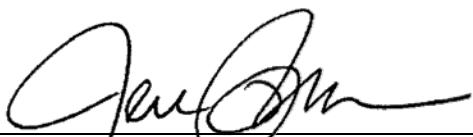
Petitioner, currently incarcerated at Sing Sing Correctional Facility, brings this *pro se* petition for a writ of *habeas corpus* under 28 U.S.C. § 2254 challenging the constitutionality of his July 11, 2018 conviction in the New York Supreme Court, Albany County.¹ Because Petitioner was convicted and sentenced in Albany County, which is located in the Northern District of New York, 28 U.S.C. § 112(a), the Clerk of Court is directed, under Local Rule 83.3, to transfer this action to the United States District Court for the Northern District of New York.

Petitioner has not at this time made a substantial showing of the denial of a constitutional right, and thus a certificate of appealability will not issue under 28 U.S.C. § 2253. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore *in forma pauperis* status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444–45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Clerk of Court is directed to mail this Order to Petitioner.

SO ORDERED.

Dated: December 19, 2023
New York, New York



JESSE M. FURMAN
United States District Judge

¹ Petitioner paid the \$5.00 filing fee for this action.